

Final Notes 9-4-97

IMPLEMENTATION TEAM
CONFERENCE CALL MEETING NOTES

August 28, 1997, 9:00 a.m.
NATIONAL MARINE FISHERIES SERVICE OFFICES
PORTLAND, OREGON

I. Greeting and Introductions.

This special conference call, convened to discuss the draft needs statement and scope of work for facilitation of the Implementation Team and Executive Committee, chaired by Brian Brown of NMFS, was held August 28. Participants in the call included Brian Brown, John Palensky and Lynne Krasnow of NMFS, NMFS consultant Ed Sheets, Witt Anderson of the Corps of Engineers, Alan Ruger of the Bonneville Power Administration, Ron McKown of the Bureau of Reclamation, Ron Boyce of the Oregon Department of Fish and Wildlife and Tom Cooney of the Washington Department of Fish and Wildlife. The following is a distillation (not a verbatim transcript) of items discussed at the meeting, together with actions taken on those items.

The discussion focused initially on the "Scope of Work" section of the facilitator needs statement for the Implementation Team and Executive Committee, developed in response to an assignment at the last IT meeting; Brown explained that the Regional Forum technical committees -- TMT, SCT and DGT -- have been requested to develop statements of their own needs for facilitation and other support.

He asked the meeting participants to share any comments they might have on the draft scope of work for the IT/EC facilitator. Ruger spoke to Item 6 on the list, saying that, in his opinion, the duties it describes would best be left to the IT or EC membership and/or their support staffs, rather than the facilitator. I'm not sure it would be appropriate for the facilitator to make judgements or recommendations about the adequacy of technical information, Ruger said - I think their role should be strictly to help us get to a decision. Anderson pointed out that the document says only that the facilitator will assist the members in ensuring that briefing papers reflect the issues -- it doesn't say that the facilitator alone will make those judgements. Underscoring "assist" pretty much solves the problem for the Corps, he said. The idea behind this item is to ensure that memoranda, briefing papers and other documents produced by the technical teams are complete enough so that the members will be able to completely understand the issue, added Palensky. I think it is appropriate for the facilitator to ensure that the materials on which decisions are to be based are complete, objective, and accurately reflect the issues to be decided.

Sheets suggested the addition of a "background" paragraph, describing the current Regional Forum organization and support, to clarify the fact that, while NMFS is looking for a facilitator to chair the meetings, there is already a system in place to distribute material and provide other

support; other meeting participants agreed.

Boyce added that, in response to the assignment from IT, the Technical Management Team has developed a list of facilitator duties and potential process improvements that might come about from the use of a TMT facilitator; one of the items the TMT discussed was the fact that all parties would retain their individual authorities, and that the facilitator would not vote on issues. He suggested that the IT might consider including such a statement in the document under discussion today, as well as some recognition of the importance of time-sensitive decisions, and the importance of prioritizing agenda items at all levels of the Regional Forum so that timely decisions can be made. Boyce said he would draft a paragraph or two capturing these ideas, and forward them to Palensky.

Brown suggested that it would be appropriate to allow some additional time for comment on the draft facilitator needs and scope of work statement; he asked that any additional comments be provided to Palensky by close of business today, and said NMFS would solicit comments directly from other parties, such as the U.S. Fish and Wildlife Service, who were not able to participate in today's call.

A few minutes of further discussion yielded the hope, expressed by several parties, that the selection of an independent facilitator will help to resolve some of the Tribal concerns about participation in the Regional Forum process, and encourage them to once again take an active role. Palensky also expressed the hope that the Tribes will participate in the facilitator selection process, adding that he has been attempting to contact CRITFC's Rob Lothrop to discuss these issues.

The discussion moved on to procurement approaches and funding availability. Brown said that it appears that, given the current timeline for this effort, it will probably be the end of FY'97 or early FY'98 before a facilitator will be hired. Palensky observed that, while the FY'98 budget is not yet set in concrete, the concrete is starting to harden, and it will be necessary to gain approval for the facilitator from both the anadromous fish managers and the Integrated Scientific Review Panel processes, as well as from the Power Planning Council itself.

The group agreed on the need to get a facilitator on board by 1998. The fact that this need has not been anticipated or planned for in the FY'98 funding process is a problem we will likely solve by using some of the BPA funds which are reserved for NMFS ESA actions, to bridge the gap until the facilitator contract is more thoroughly incorporated into the regional program, said Brown.

The meeting participants discussed the most effective way to solicit proposals from potential facilitators or firms. Ruger said a general Request for Proposals would probably not be the most effective method of finding a qualified facilitator, suggesting that, instead, it might be more effective to approach a select list of candidate firms directly. It was agreed that the pieces that need to be included in such an RFP include the revised scope of work, a description of the overall process within which the facilitator position fits, an estimate of the hours required to fulfill the duties of facilitator, and a statement of the contract's duration -- probably one year, initially. That RFP will then be used to solicit proposals from a select group of firms or individuals, said Brown. It would be nice to have the RFP process well underway prior to the October 15 Executive Committee meeting, he added.

Anderson suggested that, with respect to Item 3 -- the selection process -- it would be appropriate to designate an ad hoc panel representing the members of the Regional Forum. He cited the example of the search process for an independent engineering firm to review the Corps' work for the Council's Drawdown committee, in which an ad hoc group of Drawdown committee members reviewed and ranked the proposals, and ultimately made the selection -- that process worked pretty well, Anderson said. Any thoughts on the makeup of such a group for the facilitator selection process? asked Brown. From my perspective, any of the entities participating in IT who would like to be a part of the selection process, Anderson replied. The broader the representation, the better, to avoid recriminations later. In that case, said Sheets, I would suggest that we invite some Executive Committee representation in that process as well. It was agreed that the most efficient scenario would probably be for the IT membership to do the preliminary candidate screening, and to involve the Executive Committee membership in the final selection process.

Sheets expressed the hope that, if the selection process moves forward efficiently, it may be possible to complete it by late October or early November. Boyce added that, in his view, it is extremely important to complete the process as expeditiously as possible, so that the facilitator has the opportunity to participate in the post-season review and pre-season planning processes, and to get up to speed prior to the 1998 in-season management period.

In response to a request from Sheets, Ruger agreed to discuss the RFP process with BPA procurement staff, and to report back to the IT on the available proposal solicitation options and potential schedule or schedules.

The group spent a few minutes discussing the qualifications to be listed in the facilitator RFP, ultimately concluding that it may not be desirable for the successful candidate to have extensive experience in facilitating salmon-related discussions -- anyone with significant experience in that area is likely to have too much baggage to be acceptable to a majority of Regional Forum participants. Instead, suggested Sheets, it may be better to simply look for someone who has demonstrated success in facilitating natural resource issues. Brown suggested that it may not be productive, at this point, to develop a qualifications statement that could be used to exclude candidates based on education, experience or background.

In response to a question, Palensky said it should be possible for him to put together the draft RFP by September 5, with the goal of scheduling a follow-up IT conference call to discuss it the following week. The call was set for 9:00 a.m. Thursday, September 11.